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10/660,879	09/10/2003	David Matthew Oles	IGTECH.0115P	6926

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EXAMINER

RENDON, CHRISTIAN E

ART UNIT	PAPER NUMBER
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3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/660,879	Applicant(s) OLES ET AL.	
	Examiner Christian E. Rendón	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 17-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 17-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3714

Response to Amendment

This office action is in response to the amendment filed May 12, 2006 in which applicant amends claims 1 and 21, adds claims 29-31, and responds to claim rejections. Claims 1-31 are pending.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claim 31 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation of "imprinting player image data on a payout ticket for the user" is not disclosed in the specification. The examiner does acknowledge that the specification discloses that an "image may be used when the payout is awarded" and "the collected image is compared" when a person "attempts to collect the payout" (Para 86), but in no way does these lines disclose "imprinting player image data on a payout ticket".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was

Art Unit: 3714

made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-12, 17-20, and 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBan (US Patent No. 5,386,103) in view of Yoshida (US Patent No. 5,253,167).

2. Regarding claim 1, 10, 17-20 and 24, DeBan teaches the controlling of the at least one image collection device (DeBan: Figure 2, element 36) by a microprocessor (DeBan: Figure 2, element 72), in other words a controller in communication with at least one peripheral, magnetic card reader (DeBan: Figure 2, element 32) for the purpose of creating an identification and verification system for an Automatic Teller Machine (ATM). DeBan discloses that, "the identification and verification system of the present invention can be applied to securities system, which so required a personal identification" (DeBan: col. 10: 34-36). Although an ATM is not a gaming machine, both of them dispense objects of value therefore both of them require security measures to insure the well being of the user and the integrity of the machine. The interaction between the customer and the ATM begins with the scanning of their ATM card in the magnetic strip reader (DeBan: Fig 1, element 32), a triggering event related to a peripheral of the machine. The camera (DeBan: Fig 1, element 36) then generates a facial image of the customer and compares it to the stored image on the ATM card (DeBan: Col 9, lines 58-68). DeBan discloses the process for generating "a set of projection vector coefficients which represents the image in the universal face space (UFS)" (DeBan: Col 6, line 42) and this set of numbers is stored on the ATM card when it is issued to a new customer (DeBan: Col 6, line 30). A comparison of the two sets of projection vector coefficients that results in a match completes the verification process therefore the user is authorized to make a cash transaction (DeBan:

Art Unit: 3714

Col 1, line 54). Undisclosed by DeBan is an internal camera system for photographing the interior of the ATM. Yoshida teaches a remote maintenance system (Yoshida: Col 2, line 25) comprising of several cameras positioned in the interior of an ATM machine (Yoshida: Col 2, lines 337-40). When a fault occurs a remote user (Yoshida: Col 1, line 26) uses the cameras to evaluate the damage that has occurred to a particular component (Yoshida: Col 3, line 66). In other words the cameras as taught by Yoshida are used for the purpose of assisting the maintenance crew. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeBan to provide several interior cameras to increase the security and integrity of the ATM. A camera located in view of every possible access point allows for a bank to learn the latest possible method of tampering besides catching a criminal "in the act," making this system a practical solution.

3. At the time of this invention it would have been obvious to one skilled in the art to require the interior cameras disclosed by Yoshida to automatically photograph a component of the ATM. One skilled in the art of programming can easily write up a routine that evaluates and if possible solves the issue that activated the sensor. Resulting in efficient use of the remote user's time and expertise. Within in the scope of Yoshida's intend invention, it is obvious that this routine would automatically take a picture of a fault using one of the interior cameras as part of a report for maintenance record keeping purposes. This modification inherently gives the DeBan/Yoshida system a new limitation under the motivation of further improving the security of an ATM. When a facial image is captured in response to the magnetic card reader or cash dispenser (DeBan: Figure 1, elements 32 and 38), an interior image is captured simultaneously as well. These two

images will function as proof of the integrity and security of the ATM during the transaction, which is within the scope of the combination of DeBan/Yoshida system.

4. The invention disclosed by DeBan is in regards to an ATM but as stated previously, an ATM and a gaming machine both dispense objects of value and therefore both of them require security measures to insure the well being of the user and the integrity of the machine. DeBan has disclosed an "identification and verification system" that can be applied to any machine that requires personal identification (DeBan: Col 10, lines 34-36). Therefore, it is obvious to one skilled in the art that in the scope of game machines the startup of a game would be one of many results of successful verification of a user.

5. Regarding claim 3-6 and 9, DeBan discloses capturing a current facial image with a high-resolution (HR) camera (DeBan: Figure 1, element 36) that is mounted above the display (DeBan: Figure 1, element 30). It is well known in the art that a HR camera can be either digital or analog. If the camera is analog, it is inherent that the camera would generate analog data and would then be converted into digital data in order to create a set of projection vector coefficients.

6. Regarding claim 7-8, DeBan teaches the use of a digital camera (DeBan: Figure 1, element 27) for capturing a person's facial image (DeBan: Col 4, lines 40-41). This digital camera is mounted above a human teller station therefore the camera is in a remote position from the ATM.

7. Regarding claim 11 and 26, DeBan lacks in specifically disclosing an interior cameras system for the ATM. Yoshida is silent about the remote user system being able to photograph two different components simultaneously. However, the necessary equipment, a system of multiple cameras, two displays (Yoshida: Figure 1, elements 3 & 23) and a

Art Unit: 3714

computer or supervising controller (Yoshida: Figure 1, element 2) are disclosed therefore taking simultaneous interior pictures is inherent.

8. Regarding claim 12 and 27, DeBan lacks in specifically disclosing the use of at least two cameras, which are located on the exterior of the ATM. The use of a second camera for the monitoring of the user's activity with the ATM is inherent. Most banks install security cameras to insure the safety of their customers. Furthermore, most states have legislative acts that require security cameras. For example, NY's ATM Safety Act – Article II-AA states, "a surveillance camera or cameras, which shall view and record all persons entering an automated teller machine facility located within the interior of a building, or which shall view and record all activity occurring within a minimum of three feet in front of an automated teller machine located outside a building and open to the outdoor air" (Section 75c: Security Measures).

9. As discussed previously, DeBan discloses an initial trigger event that causes the ATM to capture a current facial image and compare it to the image stored on the ATM card. Therefore, DeBan teaches a process of identification and verification of a user before granting accessing to a user's account and most importantly, before a transaction of money begins. In other words the process disclosed by DeBan is taught to occur whenever it is deemed necessary to verify an identity. Regarding claims 28-30, DeBan is silent about a second trigger event occurring that causes the ATM to obtain a second current facial image and comparing the first and second current facial image. The occurrence of a payout or second trigger event does not occur every time a game is played. As taught by DeBan, it is necessary to run the identification and verification process during the occurrence of payout or a transaction of money. Therefore, a current image will be

obtained for comparison with an older image to authorize access to a player's account. Since there is no added benefit using the first current image over the one stored on the card, either one can be used to make the comparison with a current facial image.

Claims 2 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBan in view of Colbert (US Patent No. 5,594,806).

10. As discussed above, the DeBan created a system that allows the proper owner of the swiped ATM card the authority to use the ATM. The ATM created by DeBan has cameras place on the exterior of the ATM for security purposes. The swiping of a user's ATM card in a magnetic card reader triggers an event, the generating of the current facial image of the user. If the verification of the user's card fails to match the current facial image, DeBan teaches to give the user the benefit of the doubt and asks the user to contact the bank for assistance (DeBan: Col 10, line 3). Therefore, DeBan lacks in disclosing the generation of "security data" or an alarm when a facial match cannot be made. Colbert discloses the activation of a red panel light (Colbert: Figure 1, element 22), displaying REJECT on a screen and the sounding of an alarm when a verification event fails (Colbert: Col 8, lines 36-38, step #6). If a bank believes in taking failed verification events more seriously then it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the alarm taught by Colbert to indicate a security breach or improper identification verification. The system created through the combination of DeBan/Colbert teaches communicating the "security data" to a computer (DeBan: Figure 2, element 72) at a remote location like a security office. The data that would be sent is the image taken by the exterior camera to help identify the possible criminal.

Response to Arguments

Applicant's arguments filed on May 12, 2006 have been fully considered but they are not persuasive. The applicant presents several arguments:

- i. DeBan does not teach an ability to obtain an image of an interior of a gaming machine
- ii. Yoshida does not teach interior image collection automatically initiated in response to a user interacting with a peripheral on a gaming machine
- iii. DeBan nor Yoshida teach simultaneous operation between an exterior and an interior image capture device
- iv. DeBan does not teach a device that attempts to obtain current facial image information
- v. DeBan does not teach communicating security data like an alarm condition to a remote location
- vi. DeBan is silent about a second trigger event occurring that causes the ATM to obtain a second current facial image and comparing the first and second current facial image

11. With regards to argument 'i', the office admits that DeBan fails to teach "an ability to obtain an image of an interior of a gaming machine." On the other hand, the combination of DeBan/Yoshida made under the motivation to maintain the integrity and increase the security of the ATM, teaches obtaining an image of the interior of the machine.

12. In regards to arguments 'ii' and 'iii', Yoshida does not automatically collect an image from the interior of a machine. As stated previously, the necessary equipment needed to automatically take an image of the interior is disclosed by Yoshida: a system of multiple

Art Unit: 3714

cameras, two displays (Yoshida: Figure 1, elements 3 & 23) and a computer or supervising controller (Yoshida: Figure 1, element 2). Therefore, it is obvious for one skilled in the art of programming to simply write a routine to automatically capture an interior image when necessary instead of waiting for a remote operator to initiate the command. The motivation to alter the system in order to add this limitation is to collect a facial image and interior image simultaneously when a user triggers an event as proof of the integrity and security of the ATM at that moment in time.

13. As stated previously, DeBan teaches an identification and verification system that captures a facial image and compares it to the image stored on a card. Therefore in regards to argument 'iv', DeBan teaches a device that attempts to obtain a current facial image.

14. With regards to argument 'v', the office admits that DeBan fails to teach communicating security alerts and data to a remote location. In the event of a failed verification match, DeBan has taken the position of giving the user the "benefit of the doubt" therefore fails to teach this security limitation. On the other hand, Colbert teaches the use of alarms when the verification of a user fails. As stated previously, the belief of taking failed verification events seriously is a logic and obvious motivation to combine DeBan with Colbert. Therefore, the system created through the combination of DeBan/Colbert teaches communicating the "security data" to a computer (DeBan: Figure 2, element 72) at a remote location like a security office. The data that would be sent is the image taken by the exterior camera to help identify the possible criminal.

15. In regards to argument 'vi', DeBan does not specifically disclose a second trigger event. On the other hand, an initial trigger event that causes the ATM to capture a current

Art Unit: 3714

(second) facial image and compare it to the (first) image stored on the ATM card is disclosed by DeBan. As discussed previously, DeBan inherently teaches that payout is another trigger event since a transaction of money is about to occur. In the scope of gaming machines, it is taught by DeBan that it is necessary to run the identification and verification process again when a payout occurs.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,583,813 B1 – System and Method for Capturing and Searching Image Data Associated with Transactions

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian E. Rendón whose telephone number is 571-272-3117. The examiner can normally be reached on 9 - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan M. Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CER

Christian E Rendón
Examiner
Art Unit 3714



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SUPERVISORY PATENT EXAMINER
TC3700